



**SO ORDERED,**

A handwritten signature in blue ink, reading "Neil P. Olack".

**Judge Neil P. Olack  
United States Bankruptcy Judge  
Date Signed: June 28, 2018**

**The Order of the Court is set forth below. The docket reflects the date entered.**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:  
COMMUNITY HOME FINANCIAL SERVICES, INC.,  
DEBTOR

CHAPTER 11 PROCEEDING  
CASE NO. 12-01703-NPO

**AGREED ORDER**  
**DOCKET NOS. 2243 AND 2270**

THIS CAUSE came on for consideration on the motion to lift automatic stay [dkt. 2243], filed by U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust, (hereinafter "U.S. Bank" or "Creditor"), and the Response [dkt. 2270], filed by the Trustee, and the Court has been advised that the parties have reached the following agreement:

1. This Court has jurisdiction of this matter pursuant to 28 U.S.C. § 1334 (a) and 11 U.S.C. § 362, 363 and 552(b)
2. Community Home Financial Services, Inc. ("Debtor") filed its petition under Chapter 11 of the Bankruptcy Code (11 U.S.C. 101, 51D) May 23, 2012. Subsequent thereto, Honorable Kristina M. Johnson was appointed trustee in this case.
3. Debtor is the second lien holder regarding certain real property (the "Property") now or formerly known as 146 N. Pamela Drive, Chicago Heights, Illinois 60411, which is more particularly described as follows:

LOT 96 IN NORMANDY VILLA SECOND ADDITION, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND PART OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 35 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

4. The obligation to repay the indebtedness owed to the Creditor secured by a Mortgage dated May 15, 2007, executed by Alfreda McEwen, unmarried, to Chase Bank USA, N.A. Said Mortgage has been assigned to U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust. Creditor holds a first priority lien on the Subject property via its Mortgage.

5. The indebtedness is in default, and as of April 3, 2018, there was \$76,478.48 in past due payments owed to Creditor, plus all payments and charges that have accrued or will accrue hereafter. The monthly payment is \$1,297.16.

6. As a result of the automatic stay in effect in this case, Creditor has been unable to take any action that would be reasonably necessary to prevent deterioration of the Property, otherwise to adequately protect its security interest.

7. By reason of the foregoing, good cause exists to vacate the automatic stay of 11 U.S.C. § 362(a) of the Bankruptcy Code, and to permit Movant to enforce its Mortgage.

8. Any notices regarding the foreclosure sale will be provided to the Chapter 11 Trustee. In the event that the foreclosure sale results in amounts being recovered that are in excess of the amount owed to the Creditor, the Creditor will deposit those excess amounts with the Chapter 11 Trustee of this case.

**ORDERED** that the Motion is *granted*: the automatic stay of 11 U.S.C. § 362 is **MODIFIED** to allow U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, its successors and assigns to exercise its rights under applicable state law against the subject property, including but not limited to taking possession thereof in pursuit of its state law remedies; provided, however, any proceeds remaining after foreclosure of the Property which

exceed the lawful claim of U.S. Bank shall be promptly remitted to the Chapter 11 Trustee.

Entry of this order shall constitute the entry of final judgment pursuant to Bankruptcy Rule 9021 and Rule 58 of the Federal Rules of Civil Procedure and shall be applicable to any conversion of this case to any other Chapter under the Bankruptcy Code.

**##END OF ORDER##**

AGREED TO:

/s/ Laura Henderson-Courtney

Attorney for Ocwen Loan Servicing, LLC

/s/ John D. Moore (with permission)

Attorney for Chapter 11 Trustee

Presented by:

J. Gary Massey, MSB#1920

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